



REZONING REVIEW RECORD OF DECISION

STRATEGIC PLANNING PANEL of the
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DECISION	3 November 2023
DATE OF BRIEFING	31 October 2023
PANEL MEMBERS	Stephen Murray (Acting Chair), Helen Lochhead and Paul Mitchell
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Abigail Goldberg (Chair), David Ryan and Stephen O'Connor had previously declared an interest and withdrew themselves from being able to sit on a Panel to hear the Review. Clare Brown & Nicole Gurran declared a conflict of interest and withdrew themselves from the Panel for this Review.</p> <p>The City of Parramatta's six local members were deemed by the Acting Chair to have a conflict of interest. Councilors Sameer Pandey, Dan Siviero, Michelle Garrard, and Georgina Valjak voted at the Council meeting of 28 November 2022 not to support the planning proposal (PP-2021-3409). Jane Fielding and Richard Thorpe were members of the Panel who heard the first Review on 2 May 2023.</p>

REZONING REVIEW

RR-2022-31 – City of Parramatta – PP-2021-3409 at 361-365 North Rocks Road, North Rocks (as described in Schedule 1)

Reason for Review:

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☒ The council has failed to indicate its support 115 days after the proponent submitted a request to prepare a planning proposal.
Council has subsequently notified the proponent that the request to prepare a planning proposal has not been supported

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at briefings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel recommends that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has
 - ☐ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

The Panel had the benefit of a comprehensive site visit and presentations from the Department of Planning and Environment (Department) and the proponent on the proposed planning proposal (as

submitted June 2021). The City of Parramatta was offered an invitation to brief the Panel but declined, providing a copy of its previous Panel presentation of May 2023.

The Panel carefully considered all information provided and the decision of the previous Panel to not support the proposed planning proposal. Having regard to the briefings by the Department and Proponent, the City of Parramatta's May 2023 briefing presentation report, supporting information, and changed circumstances notably the increased importance of national and state delivery of housing, the Panel came to the following unanimous view.

Strategic Merit

The Panel agreed that the planning proposal had Strategic Merit given that:

- The planning proposal is consistent with applicable strategic planning documents, particularly as they relate to the general objectives for housing. These include the Greater Sydney Region Plan, 2018; Sydney Central District Plan, 2018; and the development is consistent with the outcomes sought under schedule 7 of the Parramatta Local Strategic Planning Statement, 2020 (LSPS).
- Delivering housing supply is a priority for Sydney at all levels of Government.
- The planning proposal is consistent with strategic objectives, regionally and locally, to locate new housing in areas close to local services and public transport.
- Additionally, the Federal and State Government Housing Accord seeks an additional 1 million well located homes over the next five years. This proposal responds to changing circumstances by delivering additional well-located housing and housing diversity.

Site Specific Merit

The Panel agreed that the proposal had Site Specific Merit, in that:

- The site has no significant natural environmental constraints to preclude development.
- The site has the potential to provide housing diversity including affordable housing, seniors housing as well as community facilities and landscape amenity.
- The site is a large, consolidated area that is well located close to a local centre providing direct access to goods and services.
- Infrastructure is available to support the development.
- The site is within 20-30 minutes of Parramatta CBD by public transport and other employment centres can be accessed via public transport along the M2 motorway.
- The site is of sufficient area and self-containment to accommodate development that could have an increased scale, density and compatibility with the locality.

Panel recommendations

The Panel recommends that prior to submitting the Planning Proposal for a Gateway determination, the Planning Proposal is to be revised to address the following:

- The scale of the proposed development is to be compatible with the interface along North Rocks Road up to a maximum of three storeys;
- The scale of the proposed development along the eastern and western boundaries is to be no more than a maximum of two storeys;
- Notwithstanding the lower heights at the interface with the existing neighbourhoods, the heights of buildings across the site are to be stepped down the site to relate to the sloping topography, with a maximum of five storeys, with potential for an additional one storey at the top-level setback, to minimise visual bulk and amenity impacts, and stepping down to two to three storeys;
- The provision of a minimum 34% of the site as open space including the proposed oval;
- The identification of an appropriate zoning or other mechanism to ensure the proposed oval, public spaces, parks and bushland areas are retained for public use;
- The proposed floor space ratio is to be aligned to the new proposed heights;
- Prepare an affordable housing viability report and clarify housing affordability rates, including floor space and number of units and method of management in perpetuity to consider the delivery of affordable housing in the development consistent with the government's strategic housing policy. The Greater Sydney Region Plan and Sydney Central District Plan have affordable housing targets in the range of 5-10% of new residential floor space subject to viability; and




- The inclusion of a proposed LEP provision for a site-specific Development Control Plan (DCP). The site specific DCP is to be generally consistent with, and address, the proposed arrangement of development in the revised master plan and as modified by the requirements above. It is to be prepared by the proponent in consultation with the City of Parramatta and the Department of Planning and Environment.

The revised Planning Proposal including supporting reports and studies is to be submitted to the Panel via the Department of Planning and Environment by 12 January 2024.

The Panel will reconvene in February 2024 following the receipt of the revised Planning Proposal to assess and determine whether the Proposal has met the Panel's recommendations and is suitable for submitting to a Gateway determination.

The City of Parramatta has previously refused to progress the proposal. In accordance with Section 3.32(1) of the *Environmental Planning and Assessment Act 1979*, the Planning Panel as delegate of the Minister for Planning has determined to appoint itself as the Planning Proposal Authority (PPA) for this Planning Proposal.

Should the proponent fail to pay the PPA fee by the designated date, then the Panel will no longer proceed with the planning proposal and the making of a local environmental plan amendment.

PANEL MEMBERS	
 Stephen Murray (Acting Chair)	 Helen Lochhead
 Paul Mitchell	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2022-31 – City of Parramatta – PP-2021-3409 at 361-365 North Rocks Road, North Rocks.
2	LEP TO BE AMENDED	Parramatta Local Environmental Plan (2023)
3	PROPOSED INSTRUMENT	<p>The planning proposal seeks to facilitate the redevelopment of the site for residential development ranging from 2 to 7 storeys, 38,000m² for private and public open spaces, 2,700m² floor area for community facilities and 700m² floor area for retail and commercial uses, including childcare facilities, general stores, and medical centre.</p> <p>It is proposed to amend the Parramatta Local Environmental Plan 2023 by changing the zoning from R2 Low Density Residential to R3 Medium Density Residential and R4 High Density Residential; changing maximum height of building from 8m to 9m, 11m, 16m, 23m and 25m: inserting additional floor space ratio of 1.35:1; inserting additional permitted use clause to facilitate a restaurant or café and medical centre in the R4 High Density Residential zone; and inserting a local provision for design excellence.</p>
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning and Environment, April 2023 Presentation – Rezoning Review North Rocks Village, EG September 2023 Presentation - RIDBC North Rocks Planning Proposal, Relative Heights, Mecone September 2023 Presentation - RIDBC North Rocks Planning Proposal, City of Parramatta May 2023
5	SITE INSPECTION AND BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 10:02am to 10.40am, 20 September 2023 <ul style="list-style-type: none"> Panel members in attendance: Stephen Murray (Acting Chair), Helen Lochhead & Paul Mitchell Department of Planning and Environment (DPE) staff in attendance: Peter Pham, Aoife Wynter, Lisa Kennedy & Adam Williams Key issues discussed: <ul style="list-style-type: none"> Proposed development – building form & heights and open space Local adjoining character/ interface, particularly with North Rocks Road and adjoining shopping centre and Motorway existing tree canopy, bushland and drainage areas Noise attenuation along Motorway Briefing with Department of Planning and Environment (DPE): 11:33am to 12.02pm, 20 September 2023 <ul style="list-style-type: none"> Panel members in attendance: Stephen Murray (Acting Chair), Helen Lochhead & Paul Mitchell Department of Planning and Environment (DPE) staff in attendance: Allison Burton, Jazmin Van Veen, Peter Pham, Louise McMahon, Renee Ezzy, Aoife Wynter, Lisa Kennedy, Adam Williams & Taylah Fenning Key issues discussed:

		<ul style="list-style-type: none"> • ability of Panel to conduct another review of the Rezoning Review • Panel confirmed it is reviewing the original planning proposal (June 2021) which has been considered by the Parramatta Local Planning Panel in October 2022 and Council November 2022 • The material identified in the briefing report being the proposal, site location, background and identified key issues • Strategic merit – Parramatta Local Strategic Planning Statement, Parramatta Local Housing Strategy, Housing Diversity Precinct checklist and traffic • Site specific merit – building height, FSR, master planning for the site by proponent and Council • Draft letter of offer supporting the proposal relating to provision of community facilities and affordable housing which would need to be assessed and progressed by Council <ul style="list-style-type: none"> • Briefing with City of Parramatta: The City of Parramatta declined to attend the briefing • Briefing with Mecone (Applicant) / EG Funds Management (Landholder): 2.03pm – 3.07pm, 20 September 2023 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen Murray (Acting Chair), Helen Lochhead & Paul Mitchell ○ Department of Planning and Environment (DPE) staff in attendance: Allison Burton, Peter Pham, Louise McMahon, Renee Ezzy, Aoife Wynter, Lisa Kennedy, Adam Williams & Taylah Fenning ○ Proponent representatives in attendance: Georgia Sedgmen, Jordan Faeghi, Ben Hendriks, David Workman, Michael Easson, Brett Maynard, Chris Wilson, Jane Maze-Riley, David Tickle, Chris Kelly ○ Key issues discussed: <ul style="list-style-type: none"> • The Review process – Council has declined to present a briefing today; Panel confirmed it is reviewing the original planning proposal (June 2021) which has been considered by the Parramatta Local Planning Panel in October 2022 and Council November 2022 • History of planning proposal & background to proposal • Community benefits - open space, affordable housing, community facilities • Master Plan – built form, density & height; open space, compatibility with local character; visual impact assessment • Strategic merit - Greater Sydney Plan, Central City District Plan, Parramatta Local Strategic Planning Statement, Parramatta Local Housing strategy, Housing Diversity Precinct Criteria, and housing targets • Traffic - provision of bus shuttle • Proposed land zonings – open space, oval, library, • Visual amenity & impacts – proposed site benching, retention of trees, proposed building heights/site lines • Panel Determination: 3.14pm – 3.23pm, 20 September 2023 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen Murray (Acting Chair), Helen Lochhead & Paul Mitchell
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